APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,137	02/27/2004	Daryl B. Olander	BEAS-01404US0	9240

23910   7590   12/28/2007
FLIESLER MEYER LLP
650 CALIFORNIA STREET
14TH FLOOR
SAN FRANCISCO, CA 94108

EXAMINER
BELOUSOV, ANDREY

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
12/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/789,137	OLANDER ET AL.
	Examiner	Art Unit	
	ANDREY BELOUSOV	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 September 2007</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-66</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-66</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to amendment filed on September 28, 2007. Claim 67 is

canceled. Claims 1- 66 are pending and have been considered below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 5, 7-18, 20-22, 24-35, 37-39, 41-51, 53-54 and 56-66 are rejected under

35 U.S.C. 102(b) as being anticipated by <u>Geary</u> (David M. Geary, Graphic JAVA2

Mastering the JFC.)

Claim 1, 50: <u>Geary</u> discloses a method for rendering a graphical user interface (GUI),

comprising:

  a. providing for the representation of the GUI as a set of controls wherein the

    controls are organized in a logical hierarchy (pg. 25-26);

  b. traversing the representation, wherein the traversing comprises:

      a. associating a theme with a first control in the set of controls (pg. 317, 353);

      b. rendering the first control according to the theme (pg. 318; Fig. 7-1);

      c. rendering any descendents of the first control according to the theme (pg

        318; Fig. 7-1);

c. wherein any descendents of the first control can override the theme (pg. 320); and

d. wherein one of the set of controls can communicate with another of the set of controls (pg 28-33, The JApplet Class),

e. wherein the controls include a portal level control (pg 28-33, The JApplet Class), page level control (pg. 36, Methods) and a portlet level control (pg. 55: JInternalFrame.)

Claim 18: Geary discloses a method for rendering a graphical user interface (GUI), comprising:

a. accepting a request (selecting "File", Fig. 2-2, pg. 32);

b. mapping the request to a set of controls (JMenuBar, JApplet, JRootPane, etc; pg. 29-32) that represent the GUI, and

c. wherein the controls are organized in a logical hierarchy (pg. 25-26);

d. traversing the representation, wherein the traversing comprises:

   a. associating a theme with a first control in the set of controls (pg. 317, 353);

   b. rendering the first control according to the theme (pg. 318; Fig. 7-1);

   c. rendering any descendents of the first control according to the theme (pg 318; Fig. 7-1); and

e. wherein any descendents of the first control can override the theme (pg. 320),

f. wherein the controls include a portal level control (pg 28-33, The JApplet Class),

page level control (pg. 36, Methods) and a portlet level control (pg. 55:

JInternalFrame.)

Claim 34: <u>Geary</u> discloses a method for rendering a graphical user interface (GUI),

comprising:

a. providing for the representation of the GUI as a plurality of controls wherein the

controls are organized in a logical hierarchy (pg. 25-26);

b. traversing the representation, wherein the traversing comprises:

   a. associating a first theme with a first control in the plurality of controls (pg.

   317, 353);

   b. rendering the first control according to the first theme (pg. 318; Fig. 7-1);

   c. associating a second theme with a second control in the plurality of

   controls (pg. 318, Fig. 7-1; pg. 353, Themes);

c. rendering the second control according to the second theme (pg. 318, Fig. 7-1;

pg. 353, Themes); and

d. wherein the second control is a descendant of the first control (pg. 318, Fig. 7-1),

e. wherein the controls include a portal level control (pg 28-33, The JApplet Class),

page level control (pg. 36, Methods) and a portlet level control (pg. 55:

JInternalFrame.)

Claim 2, 22, 39, 51: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18 and 50 wherein: one of the set of controls can respond to an event raised by another of the set of controls (pg. 258-262, Event Listener Lists.)

Claim 4, 24, 41, 53: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: a control can have an interchangeable rendering mechanism (pg. 317, Pluggable Look and Feel; pg. 353, Themes.)

Claim 5, 35, 54: <u>Geary</u> discloses a method and machine readable medium of claims 1, 34 and 50, further comprising: accepting a request (selecting "File", Fig. 2-2, pg. 32.)

Claim 7, 20, 37, 55: <u>Geary</u> discloses a method and machine readable medium of claims 5, 18, 35 and 54 wherein the request originates from a Web browser (Fig. 2-2, pg. 32).

Claim 8, 21, 38, 57: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50, further comprising: generating a response (Fig. 2-2, pg. 32.)

Claim 9, 25, 42, 58: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: an control can represent one of: button, text field, menu, table, window, window control, title bar, pop-up window, check-box button, radio button, window frame, desktop, shell, head, body, header, footer, book, page, layout, placeholder, portlet and toggle button (pg. 9.)

Claim 10, 26, 59: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18 and 50 wherein: associating the theme with the first control can occur when the first control is rendered (pg 317, Pluggable Look and Feel; pg. 336, Fig. 7-6.)

Claim 11, 27, 43, 60: <u>Hearst</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the first control inherits the theme from a parent control (pg. 318, Fig. 7-1; the figure shows a panel with several children or descendents. These children inherit the look and feel from the parent.)

Claim 12, 28, 44, 61: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the theme specifies the appearance and/or functioning of an control in the GUI (pg. 317.)

Claim 13, 29, 45, 62: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18 and 50 wherein: rendering the first control according to the theme can be accomplished in parallel with rendering of other controls (pg. 318, Fig. 7-1.)

Claim 14, 30, 46, 63: <u>Geary</u> discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the theme can be specified in whole or in part by a properties file (pg. 334: "Swing properties file".)

Claim 15, 31, 47, 64: Geary discloses a method and machine readable medium of claims 14, 30, 46 and 63 wherein: the properties file can include at least one of: 1) cascading style sheet; 2) Java Server Page; 3) Extensible Markup Language; 4) text; 5) Hypertext Markup Language; 6) Extensible Hypertext Markup Language; 7) JavaScript; and 8) Flash MX (pg. 328: text.)

Claim 16, 32, 48, 65: Geary discloses a method and machine readable medium of claims 14, 30, 46 and 63 wherein: the properties file can specify at least one image (i.e. fonts, pg. 353.)

Claim 17, 33, 49, 66: Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the GUI is part of a portal on the World Wide Web (pg. 28-33.)

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 3, 23, 40, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geary in view of Haefel (Enterprise Java Beans, Copyright 1999, 2000 by O'Reilly & Associates, Inc.)

Claim 3, 23, 40, 52: <u>Geary</u> discloses a method and machine readable medium of claims

1, 18, 34 and 50. However, <u>Geary</u> does not explicitly disclose wherein: a control can

have an interchangeable persistence mechanism. <u>Haefel</u> discloses container-managed

persistence, and as it could be utilized by any Java primitive type or serializable objects,

the mechanism is interchangeable (pg. 154.) Therefore, it would have been obvious to

one having ordinary skill in the art at the time the invention was made to use the known

technique of interchangeable persistence mechanism to improve similar systems of

<u>Geary's</u> JFCs and <u>Haefel's</u> EJB in the same way to achieve a predictable result.

4.   Claims 6, 19, 36, and 55 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Geary</u> in view of <u>Schildt</u> (Java 2, The Complete Reference.)

Claim 6, 19, 36, and 55: <u>Geary</u> discloses a method and machine readable medium of

claims 5, 18, 35 and 54. However <u>Geary</u> does not disclose wherein: the request is a

hypertext transfer protocol (HTTP) request. <u>Schildt</u> discloses a that a servlet can receive

an HTTP request from a web browser (pg. 951.) Therefore, it would have been obvious

to one having ordinary skill in the art at the time the invention was made to use a known

technique of receiving HTTP requests to improve similar systems of <u>Geary's</u> JFC and

<u>Schildt</u> servlets in the same way, so as to achieve a predictable result.

Response to Arguments

5.   Applicant's arguments with respect to claims 1- 66 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Belousov whose telephone number is (571)

270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB
December 20, 2007

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174